

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Adriana Cuevas Zamora Sullivan

No. CIV 20 - 13330

Plaintiff,

v.

Michael R. Pompeo, Secretary,
U.S. DEPARTMENT OF STATE,
In Official Capacity

Scott Miller, Director,
Detroit Passport Agency,

Defendants.

COMPLAINT FOR:
DECLARATORY AND INJUNCTIVE
RELIEF AND FOR A WRIT IN THE
NATURE OF MANDAMUS TO COMPEL
DEFENDANTS' DELIVERY OF UNITED
STATES PASSPORT AND ORIGINAL
NATURALIZATION CERTIFICATE TO
PLAINTIFF; AND
CIVIL RIGHTS VIOLATIONS UNDER
42 U.S.C. 1983, DEPRIVATION OF
LIBERTY AND PROPERTY WITHOUT
PROCEDURAL DUE PROCESS

COMPLAINT

I. INTRODUCTION

1. This is a civil action under 42 U.S.C. § 1983 seeking damages and injunctive relief against Defendants, in both their official and individual capacities, for committing acts, under color of law, with the intent and for the purpose of depriving Plaintiff of inalienable rights secured under the Constitution and laws of the United States ("U.S."); against Plaintiff for her exercise of constitutionally protected life, liberty and property without due process; and for a pattern of invidious discrimination on account of race and ethnic origin by depriving Plaintiff's U.S. citizenship by improper means. This case arises under the U.S. Constitution and 42 U.S.C. § 1983 and 1988, as amended. This court has jurisdiction.

2. Plaintiff's grievances specifically derive from her U.S. citizenship, proven *prima facie* by the existence of her genuine, officially issued U.S. certificate of naturalization.

3. Plaintiff's U.S. citizenship has been collaterally and groundlessly attacked by the arbitrary withholding by Defendant and Defendant's Federal Department of Plaintiff's U.S. Passport and Certificate of Naturalization, without due process of law, and thereby in manifold violation of U.S. and international law, most likely all or in part because of her original Mexican ethnicity as well as having obtained her Permanent Residency and naturalization via a same-sex marriage.

4. Plaintiff Adriana Cuevas Zamora Sullivan is a resident of Sterling Heights, Michigan, with her domicile at 14653 East Fourteen Mile Road, Sterling Heights, Michigan, 48312. Ms.

Sullivan has been a naturalized U.S. citizen of original Mexican ancestry, since May 20, 2019. She was born in Mexico on December 21, 1963, her alien registration number is A207-761-711 and her Certificate of U.S. Naturalization number is 41058598.

5. On May 24, 2019, Ms. Sullivan submitted an application for a United States passport at the Detroit Passport Agency, a branch of the U.S. Department of State. Ms. Sullivan's passport application was received by the Detroit Passport Agency on May 29, 2019. When she applied for her passport, Ms. Sullivan was informed that her passport would be sent to her domicile within two months, and shortly after she would receive the other documents she submitted as part of her application.

6. As part of her passport application, Ms. Sullivan submitted her original certificate of naturalization, the passport application, a copy of her driver license, two passport-style photographs and \$176.25 in application fees.

7. On August 18, 2019, after having not received her passport and the return of her certificate of naturalization, Ms. Sullivan began reaching out to the Detroit Passport Agency by telephone to inquire about the status of her application. She reached out numerous times to the Detroit Passport Agency, each time being told that they had no records in their files about her passport or her naturalization certificate.

8. On September 26, 2019, Ms. Sullivan presented herself at the Detroit Passport Office, where she was told that her application was still being processed. On that day, Ms. Sullivan informed the Detroit Passport Office that her mother, a citizen and resident of Mexico, was gravely ill and that she needed her documents in order to travel to Mexico in order to care for her. The Detroit Passport Office asked Ms. Sullivan to further wait for her documents and told her they would send them.

9. On October 9, 2019, Ms. Sullivan asked the Detroit Passport Office to return her original documents, as she needed them to update her resident status to U.S. citizen for purposes of Social Security benefits. She was informed by one of the office agents, a Mr. Jason (last name unknown) that she need not concern herself with taking her documents for purposes of Social Security benefits. Mr. Jason provided her with a document, which Ms. Sullivan signed, so that she could update her resident status for purposes of Social Security benefits without having her original documents.

10. When Ms. Sullivan again spoke with Mr. Jason at the Detroit Passport Office about her passport and certificate of naturalization, Mr. Jason told Ms. Sullivan that the only thing she could do at this point to get her documents back, specifically her certificate of naturalization, was to write a letter to the Passport Office renouncing her passport application, which would prompt the passport office to return her documents. Mr. Jason then told Ms. Sullivan she could apply and pay again for a passport.

11. On October 16, 2019, Ms. Sullivan personally delivered the requested letter to Mr. Jason, who informed her that he would return her documents to her immediately upon receiving the

letter. Ms. Sullivan was asked then to complete some additional paperwork, and he would reach out to her when her documents were ready for her to pick up.

12. On October 21, Ms. Sullivan again went to the Detroit Passport Office to pick up her documents from Mr. Jason. When she arrived, Mr. Jason did not give her her documents, but guided her to a private area of the office, where two other Passport Agents were waiting. The agents informed Ms. Sullivan that she was asked to participate in a voluntary interview and that they had several questions for her.

13. Ms. Sullivan was asked her name, age, nationality, where she worked and her marital status. She provided all of this information to the agents. The agents then asked Ms. Sullivan to write a letter saying who she was and how she had entered the United States. Ms. Sullivan was surprised by this request, asking if she needed to procure counsel. According to Ms. Sullivan, the agents responded to her question about a lawyer by saying, "Do you think you need a lawyer, or is it because you don't want to write it?" Ms. Sullivan told them this was no problem, that she had nothing to hide, and that she would write the letter.

14. As she wrote the letter, the passport agents kept asking Ms. Sullivan who she was. She told the Passport agents her name, that she worked at a crematorium where she was part-owner, and that her spouse Susan Sullivan was the other owner of the cemetery business. When the agents heard that Ms. Sullivan was married to a woman, they inquired if she was a lesbian. According to Ms. Sullivan, the agents then looked at her as if she was some sort of oddity and became more aggressive in their dealings with her.

15. The agents then took Ms. Sullivan's fingerprints as if she was a criminal. The agents then threatened Ms. Sullivan with incarceration, because they claimed they had photos of her with another name. Ms. Sullivan informed the agents that the photos they had were not of her, yet the agents kept insisting they were of her, until the interview ended.

16. The agents then inquired of Ms. Sullivan why she wanted to cancel her passport application. Ms. Sullivan responded stating that that she wanted her naturalization certificate and other documents back. Mr. Jason then told her that she would need to give up her rights in order to get her papers back. After she renewed her driver's license and updated her status with Social Security, she could reapply for her passport.

17. The agents made Ms. Sullivan sign several forms and took her fingerprints several times. Ms. Sullivan believes that the attitude of the agents and the way they treated her allude to their discomfort with her marital status.

18. On October 29, 2019, Ms. Sullivan departed the United States for Mexico to tend to her ill mother, who ultimately passed away in July 2020. Ms. Sullivan remains in Mexico as of the preparation of this document.

19. On March 25, 2020, our office was contacted by Ms. Susan Sullivan, spouse of Adriana Sullivan, who retained our firm to assist in this matter.

20. On April 10, 2020, our office contacted Agent Craig Belcher of the U.S. State Department (Detroit Diplomatic Security Service), first by phone and then by email, regarding this matter; a G-28 Notice of Appearance was attached to the email.

21. On April 14, 2020, Agent Belcher sent a reply email to our office stating that further research into the matter was needed, he hoped to arrange a conference with our office and Ms. Sullivan, and that he would be in touch with us “as soon as practical.” (See EX. 1)

22. On June 12, 2020, after receiving no follow-up from Agent Belcher, our office emailed him requesting that he contact us about this matter and/or immediately return Ms. Sullivan’s documents. We received no response from Agent Belcher. (See EX. 2)

23. On June 15, 2020, our office received a phone call from Agent Andrew Morrison from the Detroit Diplomatic Security Service, who indicated that he was calling in response to our June 12, 2020 email to Agent Belcher. He provided no new information, and stated that he did not have any of Ms. Sullivan’s documents (either the passport or the original naturalization certificate), as his office is simply involved in an investigation regarding a false passport application from some years prior to this.

24. On June 18, 2020, our office sent a certified letter to Scott Miller, Director of the Detroit Passport Office, formally requesting the return of Ms. Sullivan’s original documents. The letter was delivered and signed for on June 22, 2020, but again the Detroit Passport Office has issued no response. (See EX. 3)

25. On July 23, 2020, Ms. Sullivan’s mother passes away in Mexico. (See EX. 4, mother’s death certificate)

26. As of the preparation of this Complaint, Ms. Sullivan remains in Mexico as she is unable to return to the United States without a passport or her naturalization document.

27. The government’s action here in refusing to issue a passport and refusing to return Ms. Sullivan’s naturalization certificate is an illegal effort to denaturalize her. Specifically, once a person obtains U.S. citizenship, it cannot be taken away without the clearest sort of justification and proof. See U.S. v. Manzi, 276 U.S. 463, 48 S.Ct. 328 (1928).

28. The process for denaturalization involves the government’s filing one of two judicial actions, the first being a criminal prosecution pursuant to 18 U.S.C. § 1425, Procurement of Citizenship or Naturalization Unlawfully. The second option would be a civil proceeding pursuant to 8 U.S.C. § 1451, Revocation of Naturalization.

29. To date, Plaintiff and her counsel are unaware of the initiation of either of the above two actions by the government.

30. Case law has well established that citizenship status may be taken away only via one of the above-stated denaturalization procedures. See Gorbach v. Reno, 219 F.3d 1087 (9th Cir., 2000).

31. Defendants' actions in this matter have caused Plaintiff to be placed in a situation of legal limbo. She is a United States citizen who is being denied the benefits of being a United States citizen by the arbitrary, capricious and illegal actions of the Defendants in refusing to issue and refusing to return the requested documents. As such, Plaintiff is being reduced to some form of second-class citizen.

32. Plaintiff has suffered grievously as a result of Defendants' illegal actions, errors, omissions and arbitrary acts. She has been deprived of vital liberty and property rights attached to a United States citizen, without any due process.

33. Plaintiff hereby requests this Court to issue injunctive relief and a writ in the nature of mandamus compelling Defendants to return her original naturalization certificate to her forthwith, and to issue a U.S. passport forthwith.

II. JURISDICTION

34. This court has subject matter jurisdiction under Federal question jurisdiction pursuant to 28 U.S.C. § 1331; 42 U.S.C. § 1983 empowers and mandates the U.S. District Court to hear the claims and grievances of civil rights violations, i.e., the takings of citizens' liberty and property rights under the 5th Amendment without due process. Jurisdiction is also found pursuant to 28 U.S.C. §, the *mandamus* statute and the Declaratory Judgement Act; and 5 U.S.C. § 702, the Administrative Procedure Act ("APA").

III. VENUE

35. Venue in the Eastern District of Michigan is proper pursuant to Title 28 U.S.C. § 1331 in that Plaintiff Adriana Sullivan is a resident of Sterling Heights, Michigan, and all of the activities complained of occurred in the City of Detroit, Eastern District of Michigan, where Defendant has offices.

IV. PARTIES

36. Plaintiff Adriana Cuevas Zamora Sullivan is a naturalized U.S. citizen and resident of Sterling Heights, Michigan, with her U.S. domicile located at 14653 East Fourteen Mile Road, Sterling Heights, MI 48312.

37. Defendant Michael R. Pompeo is the Secretary of the U.S. Department of State (DOS). He and his subordinates-namely in this case, the U.S. Passport Office under the DOS, are involved in the acts challenged in this action in both their official and individual capacities. In addition, Secretary Pompeo is responsible for his subordinates' actions in their official and personal capacities, under color of law, that irreparably harm Plaintiff and violate her constitutionally protected rights, under the theory of *respondeat superior*. Defendant Pompeo's Official Address is: 2201 C Street NW, Washington, D.C. 20520.

38. Defendant Scott Miller is the Director of the Detroit Passport Agency, which falls under the purview of the U.S. Department of State. He and his subordinates-namely in this case at the Detroit Passport Office under the DOS, are involved in the acts challenged in this action in both their official and individual capacities. In addition, Director Miller is responsible for his subordinates' actions in their official and personal capacities, under color of law, that irreparably harm Plaintiff and violate her constitutionally protected rights, under the theory of *respondeat superior*. Director Miller's official address is: 211 West Fort Street, Detroit, MI 48226-3269.

39. Defendants are "persons" subject to suit within the meaning of 42 U.S.C. § 1983, in their individual capacities in irreparably harming, under color of law, Plaintiff by denying her constitutional rights to liberty and property without due process. Further, it appears likely that Defendants have subjected Plaintiff to a pattern of invidiously targeted discrimination based on her sexual orientation.

V. LAW AND REMEDIES

40. No administrative remedies under the U.S. Constitution, the Immigration and Naturalization ACT ("INA") and the Administrative Procedure Act ("APA") remain to be exhausted that would not be futile or would provide the relief sought in this complaint.

41. As a result of Defendants' misconduct, Plaintiff was required to retain counsel and to incur costs, fees and expenses in prosecuting this case. Plaintiff intends to seek fees under the Equal Access to Justice Act.

VI. THE CHALLENGED PRACTICES AND FACTUAL ALLEGATIONS

42. Plaintiff is appalled at Defendants' scorn for due process, the rule of law, fairness and presumption of innocence, coded in this country's Constitution and related laws and regulations.

43. On May 24, 2019, Plaintiff submitted an application for a U.S. passport with Defendants' Detroit, Michigan office, submitting all necessary paperwork and fees required as part of her application.

44. As part of her application, Plaintiff submitted her original certificate of naturalization, the sole document that definitively proves her United States citizenship. Plaintiff is incredibly concerned that because she does not have this document in her possession currently, the rights she is afforded as a U.S. citizen may not be granted to her.

45. On October 21, 2019, after months of back-and-forth between Plaintiff and the Detroit Passport Office, Plaintiff was subjected to a humiliating and unnecessary interview, one where she was treated like a criminal and subjected to harassment because of her sexual orientation.

46. As of December 15, 2020, Plaintiff has still not received any indication about either her passport application status or the status of her certificate of naturalization.

VII. FIRST CLAIM FOR RELIEF
(Issuance of Passport and Return of Passport Via Mandamus)

47. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 46 inclusive.
48. Plaintiff requests that this Court issue an order compelling the immediate return of her naturalization certificate and issuance of her U.S. passport. Said relief is pursuant to violation of the Administrative Procedure Act noted below and is made pursuant to 28 U.S.C. § 1361.

VIII. SECOND CLAIM FOR RELIEF
(Violation of the United States Constitution)

49. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 48 inclusive.
50. Defendants have violated the Due Process Clause of the Fifth Amendment, which provides that “[n]o person shall be . . . deprived of life, liberty, or property, without due process of law.” U.S. CONST. amend. V. The procedural Due Process requirement of the Fifth Amendment entitles a person to be heard at a meaningful time and in a meaningful manner before a deprivation of liberty occurs. Matthews v. Eldridge, 424 U.S. 319, 334 (1976). The process that is due depends upon the private interest affected by the official action, the risk of erroneous deprivation of the interest, the value (if any) of additional or substitute procedural safeguards, and the government’s interest, including fiscal and administrative burdens that additional or substitute procedural requirements would impose. Matthews, 424 U.S. at 335.

IX. THIRD CLAIM FOR RELIEF
(Violation of Civil Rights Act 42 U.S.C. §§ 1981 and 1983)

51. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 50 inclusive.
52. Defendants acted under color of law to deny Plaintiff her constitutionally protected right to liberty and property by arbitrarily taking her certificate of naturalization, evidence of her U.S. citizenship, as a practical matter for all respects, in violation of laws, and to discriminate on the basis of sexual orientation, by denying her full and fair proceedings, in violation of 42 U.S.C. §§ 1981 and 1983.

X. FOURTH CLAIM FOR RELIEF
(Violation of the Administrative Procedure Act)

53. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 52 inclusive.
54. Defendants are in violation of, under color of law, the Administrative Procedure Act, 5 U.S.C. § 701 et seq., (a) in that they have unlawfully withheld and unreasonably delayed agency action to which the Plaintiff is entitled and (b) in that they have taken action that is arbitrary and capricious, an abuse of discretion and not in accordance with law:

- i. by arbitrarily not granting Plaintiff her U.S. passport, which as a U.S. citizen who has filed the appropriate paperwork and fees, she is entitled to receive.
- ii. by arbitrarily taking Plaintiff's certificate of naturalization while knowing Plaintiff is a U.S. citizen.
- iii. By deliberately and persistently failing to respond to Plaintiff's inquiries in a timely manner.

XI. IRREPARABLE INJURY

55. Plaintiff re-alleges and incorporates by reference paragraphs 1 through 54 inclusive.

56. As a result of Defendants' failure to perform their duties, Plaintiff has suffered, is suffering and will continue to suffer irreparable harms, property damages and loss of freedom of movement. She has been deprived of the substantial and unique benefits of citizenship, including protection of the laws of the United States equal to that granted to citizens; political rights, including the right to vote; the right to enter and remain in the United States; freedom of movement and travel; the right to obtain a United States passport; and protection from the United States government when travelling outside the United States.

XII. REQUEST FOR RELIEF

57. WHEREFORE, Plaintiff requests that this Court:

A. Issue a preliminary and permanent injunction pursuant to 28 U.S.C. § 1331 and 5 U.S.C. § 706(1), compelling Defendants and their agents to return Plaintiff's certificate of naturalization and to grant Plaintiff her legally entitled U.S. passport. *Mandamus* is an appropriate remedy whenever a party demonstrates a clear right to have any action performed by a governmental official who refuses to act. Defendants have a duty to act on granting of U.S. passports when plaintiffs hold the status of U.S. citizens and have filed the requisite application. Here, Defendants have failed to act on that duty;

B. Declare that Defendants violated Plaintiff's rights to life and liberty, and property under the Fifth Amendment in discriminatory treatment without due process; and that such violations also offend 42 U.S.C. §§ 1981, 1983, *et seq.*;

C. Enjoin Defendants from continuing to deny Plaintiff's vital constitutional rights under the Fifth Amendment on the basis of sexual orientation in violation of 42 U.S.C. §§ 1981, 1983, *et seq.*;

D. Declare unlawful the violation by Defendants and their agents of the United States Constitution and 8 U.S.C. § 1421 and 1451 in failing to provide due process to Plaintiff, and failing to deliver Plaintiff's legally entitled U.S. passport, failing to respond to Plaintiff's inquiries timely, and confiscating Plaintiff's certificate of naturalization without due process;

E. Declare Defendants' actions arbitrary and capricious abuses of discretion, and not in accordance with law, pursuant to the United States Constitution in failing to provide due process to Plaintiff, failing to deliver Plaintiff's legally entitled U.S. passport, failing to respond to Plaintiff's inquiries timely, and confiscating Plaintiff's certificate of naturalization without due process;

F. Plaintiff prays that this Honorable Court enter a judgment in favor of Plaintiff and award Plaintiff compensatory damages;

G. Grant attorney fees and costs of this suit under the Equal Access to Justice Act, 28 U.S.C. § 2412;

H. Plaintiff respectfully prays that a trial of facts be ordered; and

I. Grant any other such relief as this Court may deem just and proper.

Respectfully submitted,

/s/ Ronald E. Kaplovitz
Ronald E. Kaplovitz (P36889)
Attorney for Plaintiff Adriana C. Z. Sullivan
KAPLOVITZ & ASSOCIATES, P.C.
2057 Orchard Lake Rd.
Sylvan Lake, MI 48320
Phone (248) 333-3666
Email: rkaplovitz@aol.com

Dated: December 18, 2020

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Complaint will be served as soon as the summons is available on the following persons by certified mail, return receipt requested, and that courtesy copy will be emailed to John M. Mitnick, Office of the General Counsel for the Department of Homeland Security at ogc@hq.dhs.gov:

Jeffrey Rosen, U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530

U.S. Department of State
Detroit Passport Agency
211 W. Fort Street
Detroit, MI 48226
Attn: Scott Miller, Director

The Executive Office (U.S. Dept. of State)
Office of the Legal Adviser, Suite 5.600
600 19th Street
Washington, DC 20522

Civil Process Clerk
U.S. Attorney's Office
501 Third Street, NW
Washington, DC 20530

Dated: December 18, 2020

/s/Ronald E. Kaplovitz
RONALD E. KAPLOVITZ (P36889)

EXHIBIT 1

5/4/2020

From: rkaplovitz@aol.com,
To: hjgraves@aol.com,
Subject: Fwd: Adriana Cuevas Zamora Sullivan Naturalization Certificate #41058598, A#207-761-711
Date: Tue, Apr 14, 2020 12:33 pm

P

Sent from my iPhone

Begin forwarded message:

From: "Belcher, Craig S" <BelcherCS@state.gov>
Date: April 14, 2020 at 11:42:22 AM EDT
To: "rkaplovitz@aol.com" <rkaplovitz@aol.com>
Subject: Re: Adriana Cuevas Zamora Sullivan Naturalization Certificate #41058598, A#207-761-711

Good afternoon, and thank you for the confirmation of counsel. Once my case agent has conducted further research into this matter, we hope to arrange a conference, or conference call, with you and your client to discuss this matter. As Ms. Sullivan's application for a U.S. passport was referred to our agency for further review, there are some matters that must be addressed before any resolution can be attained. Again, thank you for your contact information, we will be in touch as soon as practical.

Best regards,
Craig Belcher
Diplomatic Security Service Detroit

From: rkaplovitz@aol.com <rkaplovitz@aol.com>
Sent: Friday, April 10, 2020 4:34 PM
To: Belcher, Craig S <BelcherCS@state.gov>
Subject: Re: Adriana Cuevas Zamora Sullivan Naturalization Certificate #41058598, A#207-761-711

Our office represents Miss Sullivan on all legal matters and I would be happy to discuss with you any issues.

Sent from my iPhone

On Apr 10, 2020, at 3:58 PM, Belcher, Craig S <BelcherCS@state.gov> wrote:

Good afternoon, we are in receipt. Can you advise if you and your firm are representing Ms. Zamora Sullivan in any potential criminal matters that the USG may be investigating that are not immigration related? If so, please confirm so I can elaborate. Many thanks and have a nice weekend.

R/ Craig Belcher
Diplomatic Security Service

From: Jim Graves <hjgraves@aol.com>
Sent: Friday, April 10, 2020 12:31 PM
To: Belcher, Craig S <BelcherCS@state.gov>
Cc: rkaplovitz@aol.com <rkaplovitz@aol.com>
Subject: Re: Adriana Cuevas Zamora Naturalization Certificate #41058598, A#207-761-711

Dear Agent Belcher:

I am writing to you to express my appreciation for your phone conversation with my paralegal Jim Graves today regarding our client Ms. Adriana Cuevas Zamora Sullivan. As Jim informed you, my office has taken over representation for this client from attorney Loren Dickstein, and we have attached a copy of our G-28 Notice of Appearance for your records. My firm specializes in immigration cases, and we were consulted and retained by Ms. Sullivan in regards to assisting her in obtaining her documentation, which is currently being held in your office. At this time, we are specifically requesting that your office return to my client the original naturalization certificate, which was filed when she attempted to obtain her U.S. passport. She also wishes to continue with her passport application, and we hope that this document can be provided as soon as possible.

It is our understanding that Ms. Sullivan originally contacted your office in October 2019, and she has been without her original naturalization certificate since then. Approximately six months have passed since then and, as such, we believe that it would now be appropriate for you to return her documentation to her.

If you wish to discuss this matter further with me, or have any questions, please do not hesitate to contact me. I can be reached by email at rkaplovitz@aol.com or by phone at (248) 333-3666. Thank you again for your cooperation and kind understanding in this matter.

Very truly yours,
Ronald E. Kaplovitz
Kaplovitz & Associates, PC
2057 Orchard Lake Rd.
Sylvan Lake, MI 48320
Ph (248) 333-3666
Fax (248) 333-7290

-----Original Message-----

From: Belcher, Craig S <BelcherCS@state.gov>
To: hjgraves@aol.com <hjgraves@aol.com>
Sent: Fri, Apr 10, 2020 11:18 am
Subject: SULLIVAN

Hi Jim, this SSA Belcher from the Department of State. Please use this email address to send initial correspondence regarding SULLIVAN. I'll confirm receipt once received.

Regards,

Craig Belcher
belchercs@state.gov

EXHIBIT 2

From: rkaplovitz@aol.com,
To: cuzama63@gmail.com,
Subject: Fwd: Request for Passport by Adriana Cuevas Zamora-Sullivan-Naturalization Certificate #41058598, A#207-761-711
Date: Fri, Jun 12, 2020 3:26 pm

Dear Ms. Sullivan:

I am forwarding to you an email that I sent just now to the agent at the Detroit Passport Agency regarding the return of your naturalization certificate and our request to issue your passport.

We will keep you informed as to any response. If you have any questions, please do not hesitate to contact me.

Very truly yours,
Ronald E. Kaplovitz
KAPLOVITZ & ASSOCIATES PC
2057 Orchard Lake Rd.
Sylvan Lake, MI 48320
Phone: 248-333-3666
Fax: 248-333-7290
rkaplovitz@aol.com

-----Original Message-----

To: BELCHERCS@STATE.GOV <BELCHERCS@STATE.GOV>
Sent: Fri, Jun 12, 2020 3:23 pm
Subject: Request for Passport by Adriana Cuevas Zamora-Sullivan-Naturalization Certificate #41058598, A#207-761-711

Dear Agent Belcher:

I wrote to you via email several months ago in regards to the above-noted case. You indicated to me that at some time in the near future, we would set up some kind of communications or conference to discuss Ms. Sullivan's case, and that your office was continuing to investigate this matter.

At this time, I am requesting that you contact me in regards to this matter, and/or return to us Ms. Sullivan's original naturalization certificate and issue the passport as requested.

I am also requesting, if at all possible, any information you have that you are willing to share in regards to what exactly is the cause or evidence you are utilizing to allege that my client was involved in some type of prior passport situation. Obviously, you are not required to share this with me at this point in time, but it might be helpful.

I appreciate your contact in regards to this matter. If you have any questions, please do not hesitate to contact me. I can be reached by email at rkaplovitz@aol.com or by phone at (248) 333-3666. Thank you again for your cooperation and kind understanding in this matter.

Very truly yours,
Ronald E. Kaplovitz
KAPLOVITZ & ASSOCIATES PC
2057 Orchard Lake Rd.
Sylvan Lake, MI 48320
Phone: 248-333-3666
Fax: 248-333-7290
rkaplovitz@aol.com

EXHIBIT 3

F

KAPLOVITZ AND ASSOCIATES, P.C.

ATTORNEYS AND COUNSELORS

2057 ORCHARD LAKE ROAD
SYLVAN LAKE, MICHIGAN 48320

TELEPHONE (248) 333-3666
FACSIMILE (248) 333-7290
www.kaplovitzlaw.com

RONALD E. KAPLOVITZ *
* ALSO LICENSED IN OHIO

OF COUNSEL
HWA-LING RUSSELL
SHARON BOELIO
1936-2010

June 18, 2020

Sent via USPS Certified Mail and US Mail

U.S. Department of State
Detroit Passport Agency
211 W. Fort St.
Detroit, MI 48226
Attn: Scott Miller, Director

**Re: Request for Passport by Adriana Cuevas Zamora Sullivan
Naturalization Certificate #41058598, A#207-761-711**

Dear Director Miller:

Please be advised that this office has been consulted and retained by Ms. Adriana Cuevas Zamora Sullivan in regards to assisting her in obtaining her documentation, which is currently being held in your office. Specifically, we are requesting that your office forthwith return to my client the original naturalization certificate, which was filed when she attempted to obtain her U.S. passport. We understand that the passport has also been produced and, as such, we are requesting that you provide us this document immediately.

It is my understanding that my client has made numerous attempts at your office to obtain these documents, and indicated to you that she needed her naturalization document as she had an urgent need to go to Mexico in October 2019. In fact, my client did go to Mexico at that time, and has neither her passport nor her original naturalization certificate, but has only a copy in her possession. She remains in Mexico due to her mother's ill health, but is planning on returning soon to the United States and asked for my assistance in obtaining her documentation.

After several attempts to obtain her documentation, it is my understanding that on her last effort, she was escorted into a private room at your office by an agent named Andrew Morrison, and it is believed that a supervisor named Craig Belcher was also involved. My client was given limited information regarding the issue at hand, but there seemed to be some possibility that she had applied for a passport previously with a different name. My client has denied this to me, and I believe she has also denied this to you. Since that time, approximately eight months have passed and my client has heard nothing from your office and, as such, we believe that it would now be appropriate for you to return her documentation to her.

On April 9, 2020, I sent the attached letter to your agent Craig Belcher requesting further information, and did not hear back from the government, other than an acknowledgment of that letter, until I had a phone conversation with Mr. Andrew Morrison.

KAPLOVITZ AND ASSOCIATES, P. C.

Adriana Sullivan
06/18/2020
Page 2

on June 15, 2020. Apparently, Mr. Morrison and perhaps Mr. Belcher work for Diplomatic Services and are not directly employed by the Detroit Passport Agency. I was advised by Mr. Morrison that they did not have my client's naturalization certificate and/or passport, and that an inquiry should be made with your office, as they believe those documents are in your possession.

While I can appreciate that there is some type of investigation at this time regarding my client, the fact remains that my client has been and is a naturalized United States citizen. As such, we are making a demand at this time for the return of her original naturalization certificate as well as issuance of the passport. As you know, there are procedures in regards to this that must be taken by the government, and nothing has happened yet despite this investigation has occurred for many months. As such, please consider this a formal final request for the return of these documents to our client.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Ronald E. Kaplovitz

REK/jg
Enclosures

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com**OFFICIAL USE**

Certified Mail Fee	\$ 3.50
Extra Services & Fees (check box, add fees as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 2.80
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	\$ 0.65
Total Postage and Fees	\$ 6.95

Postmark
Here**AND ASSOCIATES, P.C.**YS AND COUNSELORS
RICHARD LAKE ROAD
LAKE, MICHIGAN 48320PHONE (248) 333-3666
FAX (248) 333-7290
kaplovitzlaw.comOF COUNSEL
HWA-LING RUSSELL
SHARON BOELIO
1936-2010

June 18, 2020

3 Mail

Sent To **SCOTT MILLER - DET PASSPORT AGENCY**

Street and Apt. No., or PO Box No.
211 W. FORT ST.

City, State, ZIP+4
DETROIT, MI 48226

PS Form 3800, April 2015, PSN 7680-02-2000-9047

See Reverse for Instructions

211 W. FORT ST.

Detroit, MI 48226

Attn: Scott Miller, Director

Re: Request for Passport by Adriana Cuevas Zamora Sullivan
Naturalization Certificate #41058598, A#207-761-711

Dear Director Miller:

Please be advised that this office has been consulted and retained by Ms. Adriana Cuevas Zamora Sullivan in regards to assisting her in obtaining her documentation, which is currently being held in your office. Specifically, we are requesting that your office forthwith return to my client the original naturalization certificate, which was filed when she attempted to obtain her U.S. passport. We understand that the passport has also been produced and, as such, we are requesting that you provide us this document immediately.

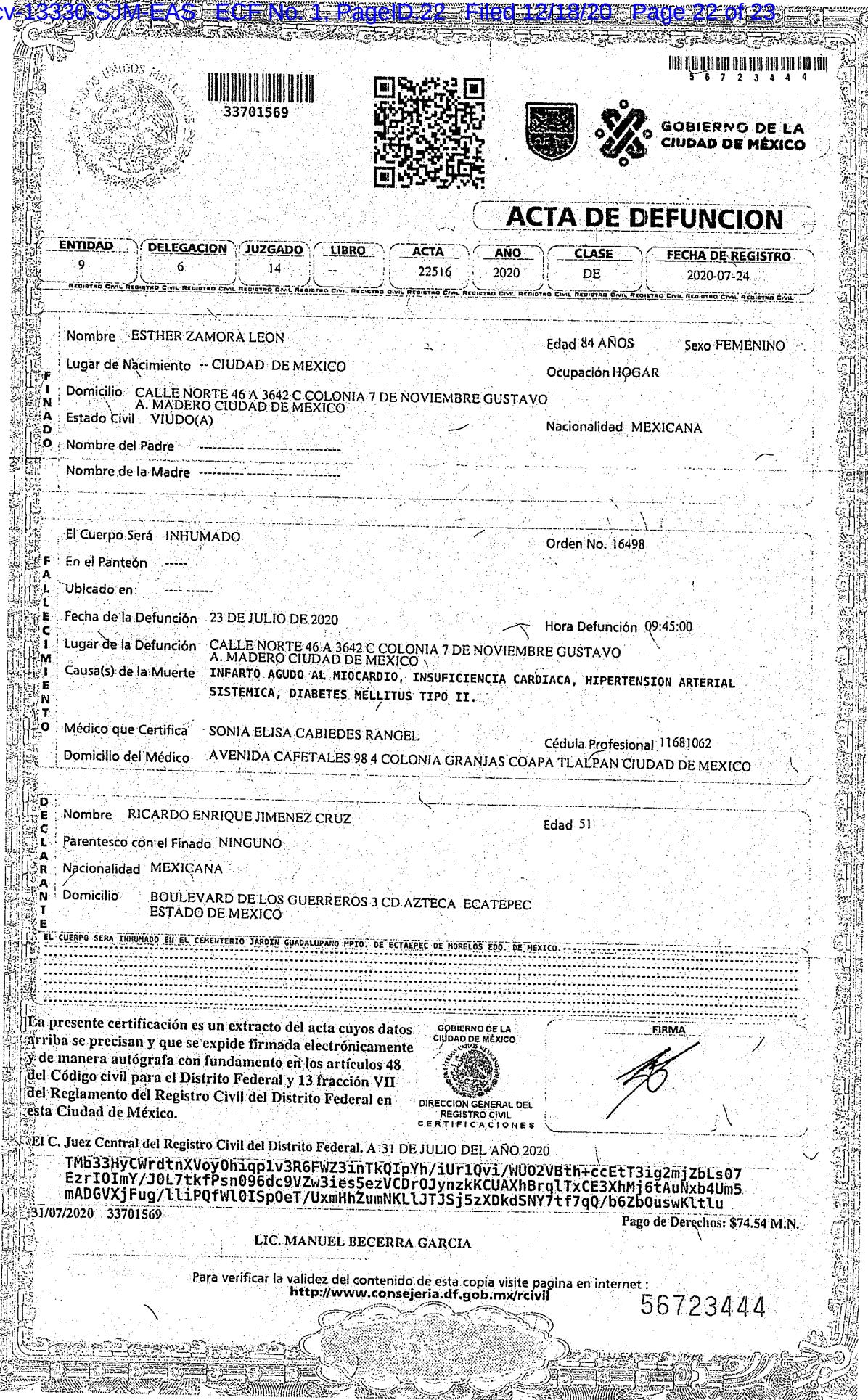
It is my understanding that my client has made numerous attempts at your office to obtain these documents, and indicated to you that she needed her naturalization document as she had an urgent need to go to Mexico in October 2019. In fact, my client did go to Mexico at that time, and has neither her passport nor her original naturalization certificate, but has only a copy in her possession. She remains in Mexico due to her mother's ill health, but is planning on returning soon to the United States and asked for my assistance in obtaining her documentation.

After several attempts to obtain her documentation, it is my understanding that on her last effort, she was escorted into a private room at your office by an agent named Andrew Morrison, and it is believed that a supervisor named Craig Belcher was also involved. My client was given limited information regarding the issue at hand, but there seemed to be some possibility that she had applied for a passport previously with a different name. My client has denied this to me, and I believe she has also denied this to you. Since that time, approximately eight months have passed and my client has heard nothing from your office and, as such, we believe that it would now be appropriate for you to return her documentation to her.

On April 9, 2020, I sent the attached letter to your agent Craig Belcher requesting further information, and did not hear back from the government, other than an acknowledgment of that letter, until I had a phone conversation with Mr. Andrew Morrison.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY																	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <i>6-19</i> <input checked="" type="checkbox"/> X </p> <p>B. Received by (Printed Name) <i>AM 2619</i> C. Date of Delivery <i>6/22/20</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																	
<p>1. Article Addressed to: DETROIT PASSPORT AGENCY 211 W. FORT ST. DETROIT, MI 48226 ATTN: SCOTT MILLER - DIRECTOR</p> <p> 9590 9402 3377 7227 0701 59</p>		<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>		<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																		
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™																		
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery																		
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise																		
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™																		
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																		
<input type="checkbox"/> Insured Mail																			
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)																			
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p> <p style="text-align: right;">Domestic Return Receipt</p>																			

EXHIBIT 4



MG Spanish Translations
 5850 Kings Pointe Drive Rochester MI 48306
 Phone: (248) 475-2299 Fax: (248) 475-0307

UNITED MEXICAN STATES SEAL
 33701569

56723444
 MEXICO CITY GOVERNMENT

DEATH CERTIFICATE

ENTITY	BRANCH	COURT BOOK	RECORD	YEAR	CLASS	REGISTRY DATE
9	6	14	-	22516	2020	DE 07/24/2020

Deceased:

Name: Esther Zamora Leon Age: 84 Gender: Female
 Place of Birth: Mexico City Occupation: House wife
 Address: Calle Norte 46 A 3642 Colonia 7 de Noviembre Gustavo A. Madero, Mexico City
 Civil Status: widow

Father's name: -----
 Mother's name: -----

Death:

The body Will be buried Order N#: 16498
 Date of Death: July 23, 2020 Time: 09:45:00 am
 Place of Death: Calle Norte 46 A 3642 Colonia 7 de Noviembre Gustavo A. Madero, Mexico City
 Cause of Death: Acute myocardial heart attack, Heart failure, Arterial hypertension, Diabetes Mellitus Type 2
 Certifying Doctor: Sonia Elisa Cabieles Rangel
 Doctor's Address: Cafetales Avenida 94, Colonia Granjas Coapa Tlalpan, Mexico City

Informant:

Name: Ricardo Enrique Jimenez Cruz Age: 51
 Relationship to Deceased: None
 Nationality: Mexican
 Address: Boulevard de los Guerreros 3 CD Azteca Ecatepec, State of Mexico

The body Will be buried in Guadalupano Cemetery, Ecatepec de Morelos, State of Mexico

This certificate is an extract of the original record with the above stated information and it was issued and signed electronically, based in Federal District Civil Code Articles 48 and Regulation Fraction VII for the Civil Registrations in this City of Mexico Federal District.

Federal District Civil Registry Judge on July 31, 2020 Illegible signature Government stamp, Certifications department, Federal District Government.
 07/31/2020 33701569

MANUEL BECERRA GARCIA

5672344

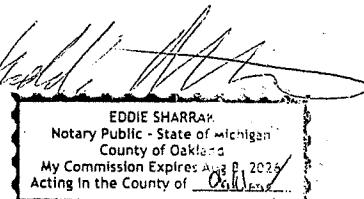
To Whom It May Concern:

The attached document is the original Death Certificate in Spanish and English Translation of said document.
 I HEREBY CERTIFY that the English translation of this document has been read by a translator, who is fluent in both Spanish and English, the translation itself its accurate and complete, and all of the information in the Spanish document it is contained in the English translation. It is a true and exact English version to the best of my knowledge.

If any further information is needed about this translation, I can be contacted at the number above.

Maria Gialdi
 Maria Gialdi
 Spanish Interpreter and Translator
 V424 585 244 265
 04/04/21

Michigan Foreign
 Language Certification Program
 State Court Administrator Office
 P.O. Box 30048, Lansing, MI 48909
 This will certify that Maria Gialdi has successfully completed the requirements for state certification.
 Language certified: Spanish
 Signature of Interpreter: *Maria Gialdi*
 Date: 04/04/21 Signed: *Maria Gialdi*
 John D. Ferris, Jr., State Court Administrator



Certified since 2003